

### **AMENDMENT TO THE DRAWINGS**

The attached sheets of drawings are formal versions of Figs. 6, 10, 14, and 16-19. These sheets replace the original sheets including Figs. 6, 10, 14, 16-19.

Attachment: Replacement Sheets, 7 pages

## **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 5-19 remain in the application. Claims 1-4 have been cancelled. Applicant appreciates and acknowledges the Examiner's indication that claims 6-9, 11, 15-19 include allowable subject matter. Applicant has submitted, herein, formal versions of Figs. 6, 10, 14, and 16-19.

The Examiner has objected to the drawings as not illustrating all of the claimed elements. The Examiner cites to claim 8, line 5 and the phrase "path includes two long sides longer than one side of the case and orthogonally crossing each other so that an intersection of the long sides is formed on a side of the center line." This phrase is not used within this claim, or any other claim in the present application. This is a phrase used in a different application of the Applicant. Applicant requests withdrawal of the objection to the drawings for this reason.

The Examiner has requested more formal versions of Figs. 6, 10, 14, and 16-19. Formal versions of these figures are provided herein. No new matter has been added to the figures.

Claims 4 and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner questions whether the rotating shaft of the first moving mechanism and the second moving mechanism is the same as the rotating mechanism in the article moving mechanism. Applicant confirms that this is the

same rotating shaft. Reconsideration and withdrawal of the rejection of claims 4 and 14 under 35 U.S.C. §112, second paragraph is respectfully requested.

Claims 5 and 6 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner objects to the use of the variable n, which the Examiner considers indefinite. The Applicant respectfully disagrees. The variable n has been clearly defined within claim 5 (n is an integer of 2 or more) and this definition applies to each use of the variable n. Further, the variable is also described within the specification. Reconsideration and withdrawal of the rejection of claims 5 and 6 under section 112 is respectfully requested.

Claims 1-3, 5, 6, 10, 12 and 13 stand rejected as being unpatentable over U.S. 2003/0183645 to Shin (hereinafter Shin) in view of U.S. 5,020,725 to Waldrum (hereinafter Waldrum). For the following reasons, the Examiner's rejection is traversed.

In the present invention, if the kinds of articles or storage capacity of articles is increased using a plurality of article stockers, it is sufficient to operate only one motor associated with a desired article stocker in order to take out a desired article. Therefore, it is possible to take out articles from the article stockers with small power output of the generator in a location where there is no source of electric power.

Shin is directed to a vending machine for kimchi which includes a compressor and a low temperature storage section above the compressor. It is important to operate the compressor so as to keep the kimchi stored at a predetermined temperature.

Waldrum is directed to a manual portable spray apparatus to enable a worker to spray fields in a remote area where batteries or other electricity sources may be

difficult to obtain. The apparatus includes a dynamo turned by a hand crank that supplies power to an electric motor.

Claims 1-4 have been cancelled herein.

One of ordinary skill in the vending machine arts would not be familiar with the type of construction shown in Waldrum. The framework for determining obviousness under 35 U.S.C. § 103(a) is stated in the famous case *Graham v. John Deere Co.*, 383 U.S. 1 (1966). This case states that obviousness is a question of law based on underlying factual inquiries including that of resolving the level of ordinary skill in the pertinent art.

The pertinent art in independent claim 5 and the claims that depend therefrom is vending machine art. The Examiner has cited a reference, Waldrum, from the agricultural arts, which is a much different area from the vending machine arts. Applicant concludes that one having ordinary skill in the vending machine arts would not be familiar with the teachings of Waldrum in the agricultural arts.

Further, the Examiner's reason for justifying the combination is not sufficient. A better reason is required. The Examiner states that it would be beneficial that the Waldrum generator is used when power goes out. At first glance, this would seem to make sense, however, this is not appropriate reasoning because if the power goes out, a generator such as that used in Waldrum would not provide the amount of electricity required to run the cooling compressor which is the key requirement in Shin. Specifically, Shin requires a certain amount of cooling to keep the kimchi at the proper temperature.

Reconsideration and withdrawal of the rejection of claims 5, 6, 10, 12 and 13 under 35 U.S.C. §103(a) is respectfully requested.

Claims 4 and 14 stand rejected as being unpatentable over Shin in view of Waldrum and further in view of U.S. 4,480,764 to Takagi. For the following reasons, the Examiner's rejection is traversed.

Claim 4 has been cancelled. As previously stated above, Applicant believes the proposed combination of Shin and Waldrum is improper. As a result, the Examiner's rejection of claim 14 is improper and Applicant respectfully requests reconsideration and withdrawal of this rejection.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. NIS-16741.

Respectfully submitted,

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